

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

DOUGLAS STEWART CARTER,
Petitioner,

vs.

STEVEN TURLEY, Warden, Utah State
Prison,
Respondent.

MEMORANDUM DECISION AND
ORDER GRANTING MOTIONS
RE: ORDER THAT STATE COURT
FILE BE MADE AVAILABLE FOR
COPYING RECORD

Case No. 2:02-CV-326 TS

This matter is before the Court on Petitioner's Motions regarding his request for an order directing the Fourth District Court, State of Utah make Petitioner's state court record available for copying. In his Motions and in an Objection, Petitioner represents the following: (1) the Clerk of Court of the Fourth District Court in Provo, Utah informed Petitioner's counsel that she cannot release Petitioner's court file without a court order;¹ (2) the Fourth Judicial Court has stipulated through its counsel to allow Petitioner access

¹Docket No. 208, at 1.

to copy his state court file;² (3) the Utah Administrative Office of the Courts has no objection to the requested release of the state court file for copying;³ and (4) the Administrative Office's counsel arranged for the file at issue to be copied so that the work of the judge handling Petitioner's state court habeas petition will not be interrupted by Petitioner's copying of his file.⁴ Based upon the foregoing it is therefore

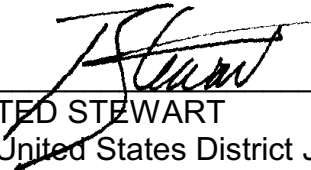
ORDERED that Petitioner's Motions for an order directing the Fourth District Court to make his state court file available for copying (Docket Nos. 207, 208, 238, and 241) are GRANTED. It is further

ORDERED that Petitioner's Objection to the Court's direction that the parties attempt to work out a stipulation regarding copying the state court record (Docket No. 226) is OVERRULED as moot. It is further

ORDERED that the Clerk of the Court of the Fourth District Court in Provo, Utah allow counsel for Petitioner Douglas Stewart Carter an opportunity to copy Mr. Carter's trial court file.

DATED April 7, 2008.

BY THE COURT:



TED STEWART
United States District Judge

²Docket No. 245, at 2.

³*Id.* at 3.

⁴*Id.*